



John L. Salomone
Town Manager

TOWN OF NEWINGTON

131 CEDAR STREET
NEWINGTON, CONNECTICUT 06111

MAYOR MIKE LENARES

MINUTES

NEWINGTON TOWN COUNCIL MEETING

September 13, 2011

The Newington Town Council met in Executive Session at 6:30 p.m. Re: Property Acquisition. All Councilors and Town Manager Salomone were present at the Executive Session. Councilor Nagel moved to adjourn from Executive Session at 6:57 p.m. Motion seconded by Councilor Banach. Motion passed 9-0.

Mayor Lenares called the regular meeting to order at 7:05 PM in the Helen Nelson Room of the Newington Town Hall.

I PLEDGE OF ALLEGIANCE

II ROLL CALL

Councilors Present

Councilor Banach
Councilor Bottalico
Councilor Cohen
Councilor DelBuono
Councilor Klett
Councilor McBride
Councilor Nagel
Councilor Nasinnyk
Mayor Lenares

Staff Present

John Salomone – Town Manager
Ed Meehan – Town Planner
Tom Molloy – Highway Superintendent
Jaime Trevethan – Executive Assistant to the Town Manager

Councilor Cohen called for a moment of silence in remembrance of the events of September 11, 2001.

III AWARDS/PROCLAMATIONS

A. Constitution Week

Mayor Lenares moved the following:

WHEREAS, the Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and
WHEREAS, September 17, 2011 marks the 224th anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and
WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week;
NOW, THEREFORE BE IT RESOLVED, that I, Mayor Mike Lenares, by virtue of the authority vested in me as Mayor of the Town of Newington, Connecticut and on behalf of the Newington Town Council, do hereby proclaim the week of September 17 through 23 as Constitution Week and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

Barbara Crede, representing the Daughters of the American Revolution, thanked the Town for its involvement in this item and spoke of the importance of recognizing Constitution week every September.

Motion seconded by Councilor Bottalico. Motion passed 9-0.

B. Leukemia, Lymphoma & Myeloma Awareness Month

Mayor Lenares moved the following:

WHEREAS, blood cancers currently afflict more than 894,543 Americans with an estimated 138,530 new cases diagnosed each year, and
WHEREAS, leukemia, lymphoma and myeloma will kill an estimated 52,910 people in the United States this year, and
WHEREAS, The Leukemia & Lymphoma Society, through voluntary contributions, is dedicated to finding cures for these diseases through research efforts and the support of those who suffer from them, and
WHEREAS, The Leukemia & Lymphoma Society maintains offices on Fairfield County and Meriden, Connecticut to support patients with these diseases and their family members in the Town of Newington, and
WHEREAS, the Town of Newington is similarly committed to the eradication of these diseases and supports the treatment of its citizens that suffer from them, and
WHEREAS, the Town of Newington encourages private efforts to enhance research funding and education programs that address these diseases,
NOW, THEREFORE BE IT RESOLVED, that the Town of Newington joins with The Leukemia & Lymphoma Society in designating the month of September 2011 as Leukemia, Lymphoma & Myeloma Awareness Month to enhance the understanding of blood related cancers and to encourage participation in voluntary activities to support education programs and the funding of research programs to find a cure.

Leukemia and Lymphoma Society representative Danielle (last name unknown) thanked the Town and stated that hopefully as more people get involved and more money is raised there will be a cure.

Public Comment:

Mady Kenny, 53 Crestview Drive: Ms. Kenny urged everyone to consider donating platelets to help both cancer patients and burn patients. She stated that platelets can be donated through the Farmington Red Cross Center, with appointments available 7:30 – 3:00 seven days per week with appointments also available on Monday evenings. She stated that it is a longer process than donating blood but it is so very worth the effort.

Motion seconded by Councilor Cohen. Motion passed 9-0.

IV PUBLIC PARTICIPATION – IN GENERAL

Prior to public participation, Mayor Lenares informed residents that the Council and staff are working very hard behind closed doors on the Cedar Mountain issue.

Rick Spring, 47 Deepwood Drive: Mr. Spring stated that it is difficult to get information from the Town in certain situations, citing an example of some documents that Toll Brothers submitted to the TPZ at the last minute and without a chance for public review. He noted that he was informed by Town Planner Ed Meehan that the documents are in a public file, but indicated that the documents are not available on the Town's website. He suggested that the Town be more open to scanning and posting public information on the web. Mr. Spring also suggested that the Town consider staying open late one evening per week in order to better serve people who work during the day. He also suggested that the Town upgrade its recording system from tape to digital. Mr.

Spring noted that while the Town is working behind the scenes on the Cedar Mountain issue he recommended that the Council begin working on a Council-initiated referendum. He stated that while he believes this is a good idea, it should go for a vote. He noted an article about the Hubble property and indicated that it was well done and hestated that going to referendum is the fair thing to do. Mr. Spring also suggested that setting a deadline for negotiations and if no agreement is reached by the deadline then the Town should begin the Eminent Domain process. He also expressed concern that the proposed busway will result in high-density housing in the Town. He remarked that he hopes the Council is listening to the residents' concerns.

Alison Clark, 25 Wilbur Drive: Ms. Clark commended the Council for its 11/24/09 PowerPoint presentation regarding Cedar Mountain because it indicates that the Council understands why the Town should preserve the mountain. She noted the requirement for an archeological study and stated that she hopes the Council will arrange for the study if the TPZ and Conservation Commission do not. Ms. Clark stated that as an employee of the DEEP Land Acquisition & Management department she often hears that towns do not have any funding for open space, something she finds to be a shame since now is a great time to buy although no town wants to ask the taxpayers for money. She noted, however, that in most cases when an open space purchase goes to referendum it does pass. Ms. Clark noted that the Town of Orange recently passed a referendum to purchase the 375-acre Hubble property for \$7.2 million; with a turnout of 1981 people with 1645 voting in favor. She indicated that the property acquisition would cost taxpayers in Orange an average of \$100 per year for the next 17-20 years and she indicated that by her calculations the purchase of Cedar Mountain would cost the average taxpayers only about \$50 per year for the next 17-20 years. She remarked that this is a "no-brainer". Ms. Clark remarked that this is not a political item; rather it is about saving the last vestiges of open space left in the Town. She remarked that it is about saying "enough is enough" and stated that the Town doesn't need any more housing, traffic or students in the school system. She stated that it is about quality of life, green space and heritage. Ms. Clark noted Councilor McBride's comment that one of the best things about Newington is its parks and she commented that Cedar Mountain would be the greatest park yet. She urged the Council to consider a referendum to purchase the property.

Roy Zartarian, 25 Stewart Street: Mr. Zartarian stated that he is a resident but also the Vice President of the Connecticut Butterfly Association, a member of the Hartford and Connecticut Audubon Societies and the Connecticut Ornithological Association. He stated that it is very encouraging to hear that the Council is moving forward with preserving the land. He urged the Council to keep in mind that once the land is gone, it's gone forever.

Gail Budrejko, 21 Isabelle Terrace: Ms. Budrejko addressed the issue of development and remarked that the Town must guard against continued over-development and the wrong type of development whether it be housing or commercial, at Cedar Mountain, the Turnpike or the busway. She spoke about Transit Oriented Development (TOD). She noted that she has attended the last two DEEP public hearings regarding the busway and remarked that she was disappointed about the lack of Town-representative attendance at the hearings. She stated that the busway has the potential to change the character of Newington forever and urged the Town to pay attention and to ensure that any TOD is consistent with the Town's Plan of Development. She remarked that it is an illusion to believe that the busway is solely about reducing traffic on I-84. Ms. Budrejko stated that the projected ridership is not there, jobs are not there and the vibrant cities are not there. She claimed that the State has additional agendas for pushing this project: one is for the political expediency of creating short-term construction jobs and the other is to advance regional land use changes to support theoretical concepts of transit-oriented communities. She noted that she voiced her concerns to the DOT spokesperson about increased traffic on local roads and indicated that she was told that there wouldn't be any increase in local traffic and noted that he said the bus stations would not be intended to be park and ride, rather they would be intended for people in surrounding villages to walk to them. She remarked that in order to support any volume of riders these "villages" would have to be high-density. She stated that the busway will run between two cities that are having severe economic and urban issues. She noted that the Town's POCD is intended to preserve and maintain the community and she urged the Council to not fall to external pressures for developments not in harmony with its vision, and when considering TOD to ask the question of best for Newington's quality of life and vision.

Kathleen Clark, 50 Grandview Drive: Ms. Clark stated that she is proud of the Town, proud of the Save Cedar Mountain group and proud of the Council for their efforts in this movement. She stated that arguments have been presented in three categories: emotional, scientific and financial. Ms. Clark stated that childhood memories have been discussed and she has seen the Town come together in solidarity over this issue. She noted that there have been discussions on how this will affect the birds, butterflies, reptiles, amphibians and mammals that cannot speak for themselves. She noted that scientists have reported what everyone already

knows – that Cedar Mountain is a unique area meant to be preserved. She noted threats to the Town's quality of life including increased dangerous traffic, increased and permanent burdens on the school system and services as well as questions about who will pay for maintaining wetlands, catch basins and who will pay to damages to homeowners' properties from the blasting, runoff and displaced wildlife. Ms. Clark stated that Toll Bros. probably fulfilled the letter of the law by putting the wetlands in a cage, but quoted a Joni Mitchell song "take all the trees and put them in a tree museum and charge the people a dollar –and-a-half to see them.... you don't know what you've got til its gone".

Mady Kenny, 53 Crestview Drive: Ms. Kenny noted the tremendous turnout of speakers and urged the Council to listen. She noted that everyone knows her opinions on the busway and Cedar Mountain, but she noted that she has no idea about the Town's disaster plan. She indicated that she did not know that there was a shelter open during Hurricane Irene and inquired about what would happen in the event of an evacuation. Ms. Kenny inquired as to how to obtain a copy of the plan.

Bernadette Conway, 177 Hartford Avenue: Ms. Conway noted the other speakers' comments about Cedar Mountain and she expressed appreciation to the Council's behind the scenes efforts regarding the issue. She thanked the Councilors and public who attended Save Cedar Mountain meetings and stated that she is proud of the community for its grassroots efforts and involvement in its government. She urged the Council to consider a referendum for this important issue and she seconded Mr. Spring's comments about digitally recording meetings.

Rose Lyons, 46 Elton Drive: Ms. Lyons thanked the members of the public and the Cedar Mountain group for their efforts, especially Gail Budrejko for her vigilance on the busway issue. She urged Newington residents to come out and speak. She noted that she had the privilege to attend the grand opening of the Transition Academy. She also noted a request from a resident to change the address of Town Hall, since it's difficult to find the building on Cedar Street. She noted that while it would probably be too difficult to go through the process to change the address she recommended placing signage on Cedar Street directing people to Garfield Street. Ms. Lyons also recommended that the Council be more specific with how it lists items on the agenda.

Mady Kenny, 53 Crestview Drive: Ms. Kenny stated that she attended the Transition Academy opening, and noted the dedication and commitment of the staff. She urged everyone to visit the school, noted that it was an excellent idea to locate the Academy in Town Hall and stated that it is a beautiful space.

Bernard Cohen, Whitewood Road: Mr. Cohen stated that he has lived next to Cedar Mountain for 47 years. He noted that if the Town is thinking of buying the property there are people who would be willing to help with the cost. He offered to personally contribute. He thanked the Council for listening.

Ceil Deschler, Constance Leigh Drive: Ms. Deschler asked what would happen if Cedar Mountain was allowed to be destroyed and what would be the environmental impact of losing this pristine beauty. She noted that she and her children have walked the mountain many times over the years and noted that we are so fortunate to have this sacred land, so beautiful and special. She stated that she loves Cedar Mountain and would like it to be preserved. She feels that it could come to fruition with the Council's help.

Kelly Mochan, 5 Deepwood Drive: Ms. Mochan stated that there are people willing to help obtain funds for Cedar Mountain, noting that she has received communications from state Senators indicating that they would help to obtain funds if the Town is committed to doing so.

V CONSIDERATION OF OLD BUSINESS

- A. Draft Memorandum of Understanding (MOU): Transit Oriented Development in the Capitol Region

TM Salomone noted that there is a resolution for consideration based on discussions about the grant proposal and MOU at the last two meetings. He noted that the grant application now focuses solely on funding for razing the former National Welding site. He stated that he is cautiously optimistic that the Town will be approved for the funding and will be able to remove the eyesore located at the Town's gateway. He stated that with Council approval, he will sign the agreement and have it hand-delivered tomorrow. He stated that the approval process at the State level is expected to take about 3-4 months.

Councilor Nasinnyk inquired whether the \$450,000 in Town CIP funding will be added to the \$820,000 in possible grant funding. Town Manager Salomone replied in the affirmative. Councilor Nasinnyk inquired whether the total funding would be used for remediation of the building only, or if it would also be used for the access roads or other development of the property. Town Manager Salomone stated that the funding would remove the building and any money left over would be applied towards soil remediation, depending on how the Town decides to use the property. He stated that any access road will be built by the state.

Councilor Klett requested that the following letter sent by Town Manager Salomone to CRCOG and t

he State regarding the MOU and grant application be read into the record. She indicated that she had requested that this letter be sent to CRCOG and the State at the August 9, 2011 Council meeting.

August 11, 2011

*Daniel Morley
State of Connecticut
Office of Policy and Management
450 Capitol Avenue
Hartford, CT 06106-1379*

*Lyle Wray, Director
CRCOG
241 Main Street
Hartford, CT 06106-5310*

Gentlemen:

At the August 9, 2011 meeting of the Newington Town Council I presented the Transit-Oriented Development (TOD) Pilot Program Facilitation Grant application to the Town Council for further discussion. Below is an issue presented by Councilor Maureen Klett, who has requested clarification to the following questions. Please respond in writing so that I may share the responses with the Town Council.

If the Town of Newington's request for the TOD Pilot Program Facilitation Grant is approved by the State agency, and the Memorandum of Understanding in support of Transit Oriented Development in the Capitol Region has been signed off by the Town as a condition of the grant application process, would the Town of Newington be required to build housing, of some type, in the Fenn Rd/Cedar St area?

In a section of the Memorandum it identified that CRCOG has made a commitment through the adoption of the Plan of Conservation and Development for the Capitol Region, which includes housing. By signing this document do we lock ourselves into a requirement of building housing?

Please respond in writing as a representative of these agencies and please contact me if you have any questions. Thank you for your cooperation.

Regards,

*John L. Salomone
Town Manager*

*cc. Newington Town Council
Edmund Meehan, Town Planner*

Councilor Klett indicated that the question was not answered directly by the State and expressed concern that there is still a section in the MOU that refers to the CRCOG's Plan of Conservation and Development which includes mentions of housing. She stated that although the MOU has changed somewhat, she remains concerned and convinced that if the Council supports this, the Town will be locking itself into a commitment down the road if it were challenged regarding housing. She indicated that she has attended DOT hearings and heard Mr. Saunder's comments that while it had been mentioned in the past that the bus stations were originally planned to be park and ride, that is no longer the case as the focus now is for a village-like

environment and transit-oriented development being the driving force behind the busway. She noted the concern about over saturation of housing in the Town and she stated that she doesn't want to "give it away" by signing this MOU, even if it has been amended to what the Town thinks will allow the opportunity to remove the former National Welding building only to find out that it forces the Town to build housing sometime in the future. Councilor Klett remarked that there would not be a village built on the corner of Cedar and Fenn, with it being one of the most treacherous intersections in the State. She stated that while she would like to clean up that area, but not at the expense of the residents, police, and school systems (inaudible) and she also mentioned plans for expansion of the CCSU campus and noted that those plans seem to be moving forward. She stated that the Town does not want to put itself in a situation in which it will be forced to build housing and provide services at the expense of those residents who already live here. Councilor Klett remarked that she is still not satisfied especially given the indirect nature of the answer to her questions about housing in the Town Manager's letter to CRCOG and the State. She stated that she does still not feel comfortable that the Town is protected, even with the changes to the MOU.

Deputy Mayor McBride moved the following:

RESOLVED:

That the Newington Town Council authorizes submission of the Cedar Station Transit-Oriented Development (TOD) Facilitation Grant Proposal in the amount of \$820,000 in accordance with the TOD Pilot Program Request for Applications; and

BE IT FURTHER RESOLVED:

That the Newington Town Council authorizes the Town to enter into and, if necessary, to amend a Memorandum of Understanding (MOU) with the Capitol Region Council of Governments (CRCOG) or any successor organization, which incorporates the requirements outlined in the TOD Pilot Program Request for Applications, as well as identifies any other specific responsibilities that the Town may choose to delegate to the Regional Planning Organization in administering the grant, if awarded, as agreed to by the parties; and

BE IT FURTHER RESOLVED:

That the Newington Town Council authorizes John Salomone, serving as Town Manager, or his successor(s), to sign the grant application, to negotiate the terms and conditions of the MOU, to sign the MOU on behalf of the Town of Newington, and to sign any other documents associated with administering the grant, if awarded, including any amendments thereto. Such grant application is attached to and made part of this record.

Motion seconded by Councilor Nagel

Deputy Mayor McBride noted that housing and high density housing can be scary words and reiterated that both the Town Manager and the Town Planner are of the opinion that the decision to make a change to include housing are the sole decisions of the TPZ and the Council. He stated that if the Town does not pursue this grant, the removal of the former National Welding building will have to be done at the taxpayer's expense and noted the grant application amount of \$820,000 to fund the removal. Councilor McBride commented that the Town Planner understands the protocol for land use. He stated that he is comfortable with applying for the funds and indicated that if accepting the funding will bind the Town to housing it will be up to the Council to reject the funds. He commented that it would not be a good idea to reject applying for funding in this economy.

Councilor Cohen inquired about how students will be able to travel between the proposed CCSU campus expansion and the busway. Town Manager Salomone replied that he was unsure. Councilor Cohen inquired about who would provide services to the expanded campus. Town Manager Salomone replied that services would be provided by the university and/or the State. Councilor Cohen remarked that the DOT will not want a bus station located next to a blighted building and since the project is shovel ready it may be an advantage for the Town to be approved for the funding. Councilor Cohen also noted the lack of direct response from the State to Councilor Klett's questions and indicated that there is a points system allocated to each application and noted that housing is worth a high number of points, so if the Town's application is rejected due to its desire not to include housing then so be it. She stated that the document attached to the resolution mentions housing throughout, and noted that if the Town does go forward with the application it should be made very clear to the State that the Town is not interested in housing. Mayor Lenares indicated that the documents also include other types of development as well. He noted that the Council has made it very clear that it is not in favor of housing and stated that the Council can reject the money if it includes a requirement for housing. Councilor Cohen requested to make it part of the record that the Town is not in favor of housing.

Councilor Bottalico noted that past grants have very specific as to how the money is to be spent and agreed that the Council can reject the funding if it includes a requirement for housing. Councilor Klett inquired whether anyone else is concerned that the State will not provide a direct answer to her questions about housing, rather the answer contained information that the Council has already received. She noted that the documents are up to interpretation and stated that someone may interpret these documents differently in the future. She noted that the points system places great emphasis on housing, just for approval of the grant. Councilor Klett expressed belief that the entire busway is predicated on the TOD development that will occur around it rather than the actual 9.2 miles between Hartford and New Britain. She stated that she does not have a level of comfort that the Town is not walking into a trap. She stated that she would be open to other funding ideas and noted that she has requested that Mr., Richard Bachoo address the Council on the plans for CCSU campus expansion and suggested that the Town see if CCSU is interested in using the National Welding property for expansion. She stated that this is not being foolish, rather it is being careful.

Councilor Nagel stated that he agrees with Councilors McBride and Bottalico and he stated that the Council has the right to reject the funding if it so chooses. He noted that the funds applied for are only to take down the National Welding building. He stated that the "what-ifs" are not necessarily the Council's responsibility and indicated that the Council's responsibility to find funding to take the building down without being committed to anything else. He noted that it is the State's right to reject the application and it is the Town's right to reject the funding if necessary. He stated that while he understands Councilor Klett's concerns he does feel that they are a bit exaggerated.

Deputy Mayor McBride noted that housing listed throughout the grant, however that is only one of many uses, including commercial and industrial, listed throughout the document as well. He stated that the Council has made it abundantly clear that it is not interested in housing. He noted the points system on the application and stated that the Town may lose out on the funding because it won't receive points for housing. He stated that it is ok if the Town is rejected for the funding based on not being in favor of housing. He reiterated that the building will have to come down, whether it is done on taxpayer dollars or through assistance from the State. He said it would be foolish not to look into the funding further by not applying for the grant. He noted the great debate on the item and expressed disappointment that there has not been more discussion at the State level, since it is a State and Federal project. He noted that while it is not a Town project it is the Town's job to take the best course of action as it sees fit. He stated that he is in favor of the resolution and reiterated that he is firmly against high density housing.

Councilor Banach agreed with Councilor Klett that it seems impossible to get a straight answer from the State about this issue, however, he commented that he has a lot of faith and confidence in the Town and stated that the Town will not have any reservations about coming to terms with its intentions and will make it abundantly clear that it is not interested in housing.

Councilor DelBuono stated that while she understands Councilor Klett's concerns, she noted that there are several types of developments listed in these documents and she agreed with Deputy Mayor McBride that no one on the Council is in favor of housing. She expressed her confidence in the Town Manager and Town Planner that the Town's intentions will be conveyed very clearly. Councilor DelBuono stated that she is in favor of applying for the grant and noted that if approved the Council will be in the position of deciding whether or not to use the funds. Councilor Nasinnyk stated that she will support the resolution. She noted that the response to the Town Manager's letter did state that housing would be required. She stated that she asked the Town Planner if applying for the grant will commit the Town to housing and she noted that the Town Planner replied that it does not commit the Town to housing since the Town has the right to determine land use. She reiterated Councilor DelBuono's comment that the Council can choose not to accept the funds if it feels uncomfortable doing so.

Councilor Cohen inquired whether the Town will be able to clarify with the State that accepting the grant funding would not commit the Town to housing. Town Manager Salomone replied that he feels that it would be very important to do so. Councilor Klett inquired how long the former National Welding property has been vacant and how long ago the Town took possession. Town Manager Salomone replied that the Town took possession about three years ago, but the former owners have not paid taxes on the property in about 10 years. He stated that the property has been vacant for about 10 years. Councilor Klett stated that the property has looked run-down since she first served on the Council in 1985 and commented that she is not as anxious to jump on something that she doesn't feel comfortable with, and stated that she will not support the resolution.

Mayor Lenares requested a roll call vote:

Roll call vote:

Councilor Banach – yes
Councilor Bottalico – yes
Councilor Cohen – yes
Councilor DelBuono – yes
Councilor Klett – no
Councilor McBride – yes
Councilor Nagel – yes
Councilor Nasinnyk – yes
Mayor Lenares – yes

Motion passed 8-1 (Councilor Klett opposed)

B. Administrative Group Wage Increases - TABLED

VI CONSIDERATION OF NEW BUSINESS

A. Review and Approval of Solid Waste Disposal Agreement

TM Salomone explained that for the past three decades the Town has been obligated to dispose of municipal solid waste to the CRRA plant in Hartford. He noted that the agreement with CRRA ends in fall of 2012 and indicated that the Town has been researching alternatives for disposables. He noted that the Town has entered into negotiations with Covanta as a replacement for the CRRA. He remarked that he feels that the Town could do better than the proposed CRRA/CRCOG plan.

Highway Superintendent Tom Molloy introduced Covanta representative Steve Diaz, who presented the Council with a PowerPoint presentation regarding Covanta and its proposed services to the Town. The presentation is attached.

Town Manager Salomone explained that the Town is not comfortable with CRRA's contract proposal because CRRA option 1 calls for a 15-year commitment, which he remarked is too long. He also noted restrictions on recyclable rebates and noted that the fixed rate tipping fee offered by CRRA option 1 is \$59.50/ton, which is \$1.00 more than the offer on the table. He explained that CRRA option 2 calls for a three-year agreement with flexibility in the recyclable area. He stated that the fixed rate tipping fee for option 2, however, is \$65.50/ton. Town Manager Salomone stated that the Town's third option is with Covanta for a three-year agreement with (2) three-year optional agreements. He stated that the Town's \$20,000 in outreach funding will be applied towards the tipping fee, thus reducing it to about \$56.00/ton, which equates a savings of about \$105,000 and allows the Town to shop for recyclable disposal.

Mayor Lenares inquired whether the current contract with our current hauler would have to be amended due to the new and longer-distance disposal location in Wallingford. Town Manager Salomone replied that by the time this contract goes into effect the Town will have renegotiated the collectors' contracts as well, since those contracts expire in June 2012. He stated that the Town has a draft agreement with all major components, such as the tipping fee, in place. He stated that there may be a few changes made to the agreement, but no substantive changes are to be made. He explained that he would like to have this agreement in place by the end of September due to the CRRA deadline. Town Manager Salomone remarked that this agreement is advantageous from both an economic and stability standpoint. He thanked Highway Superintendent Tom Molloy for his efforts in bringing forth this agreement.

Councilor Bottalico noted the shorter tip time at the Wallingford plant versus the Hartford plant and indicated that this should be an advantage while negotiating the collection contracts. He inquired as to the reason the Wallingford plant was chosen for disposal over the Bristol plant. Mr. Molloy replied that there is an opening available in Wallingford. Councilor Nagel stated that this is an appropriate step to take economically but inquired about whether this will affect the residents' trash pickup service. Mr. Molloy replied that this will not change service to the recipients. Town Manager Salomone elaborated that this contract is for the disposal of the refuse once it is picked up from the curbside and it will not change the service to the residents. Mayor Lenares inquired as to when the contract will take effect. Town Manager Salomone replied that it will take effect in November 2012.

Councilor Nasinnyk noted Councilor Nagel's question and indicated that the Council wants to make sure that the citizens will not be affected. Town Manager Salomone replied that this will not affect the residents, only where the trash is processed once it is collected. Town Manager Salomone reiterated that he would like to finalize the contract by the end of the month and recommended that the Council consider the resolution before them if they feel comfortable doing so. Councilor Cohen requested that any changes made to the contract is highlighted so that the Councilors can easily locate the amendments.

Councilor Banach inquired as to how residents are supposed to dispose of florescent lights. (name unknown) replied that most florescent lighting contains mercury and therefore cannot go into the normal curbside collection container and should be disposed of at local hazardous waste collection events. She noted that there are websites that contain information about florescent lighting collection and indicated that some big-box stores will accept them for disposal as well.

Councilor Klett noted that the Town Manager had a previous negotiation and experience with this company. Town Manager Salomone remarked that while serving as the Town Manager of Cheshire he served on the Board of the Wallingford plant, which was a CRRRA plant at the time. He stated that he had worked with Covanta in that capacity about 11 years ago and did not have any issues with the company at that time.

Councilor Cohen moved to waive the rules. Motion seconded by Councilor Nasinnyk.

Mayor Lenares called for public participation re: waiving the rules. No members of the public came forward to speak.

Motion to waive the rules passed 9-0.

Councilor Cohen moved the following:

**WHEREAS, the Town of Newington has negotiated a contract with Covanta Projects of Wallingford to dispose of Newington's municipal solid waste (MSW); and
WHEREAS, this agreement would be for an initial three-year term commencing in October of 2012; and
WHEREAS, the Town must have an agreement in place for a long-term disposal option for the Town's MSW;
NOW THEREFORE BE IT RESOLVED, that the Town Council authorized the Town Manager to enter into an agreement with Covanta for MSW disposal subject to final completion of draft language.**

Motion seconded by Deputy Mayor McBride. Motion passed 9-0.

B. 8-24 Report: Barkledge Drive and Sterling Drive Street Acceptance

TM Salomone noted that this item is to send an 8-24 report request to the TPZ for the acceptance of these two streets which are part of the Pulte development and indicated that the actual street acceptance will be considered once the TPZ issues the 8-24 report. He stated that the Council will have a resolution to refer the item to the TPZ, per State statute, at the next meeting.

C. Non-Emergency Interagency Agreement

TM Salomone noted the memorandum from Chief Mulhall on the item, and stated that this agreement dates back to 2005 and allows area towns to work together in a joint effort to conduct non-emergency police projects as needed. He stated that the agreement needs to be renewed and stated that the Council will be asked to consider the item at the next meeting.

D. License Agreement: 160 Pascone Place Driving Simulator

TM Salomone noted that this is a renewal of an existing agreement for the use of DOT-owned property at 160 Pascone Place, which houses police driving simulator equipment used for training. He noted that the Council is being requested to waive the rules on this item due to the tight timeframe for approval.

Councilor Nagel moved to waive the rules. Motion seconded by Councilor Nasinnyk.

Mayor Lenares called for public participation re: waiving the rules. No members of the public came forward to speak.

Motion to waive the rules passed 9-0.

Councilor Nagel moved the following:

WHEREAS, the Licensor is the owner of certain land, buildings, and improvements thereon, located at 160 Pascone Place, in the Town of Newington, County of Hartford and State of Connecticut (hereinafter the "Premises"); and
WHEREAS, the Licensee is the owner of driving simulators and the instructor's console (hereinafter "driver training equipment") and is in need of a location to house the driver training equipment and conduct driver training thereon; and
WHEREAS, the Licensor has sufficient space in the building at the Premises in which to house the driver training equipment and accommodate such driver training; and
WHEREAS, the Licensee desires to use a portion of such building to house the driver training equipment and conduct driver training for police officers; and
WHEREAS, it is in the State's best interest to have police officers receive the high level of training afforded by the simulators, and
WHEREAS, the Licensor and Licensee mutually agree that locating the driver training equipment and conducting driver training at the Premises will be to the mutual benefit of both parties;
NOW THEREFORE BE IT RESOLVED, That the Newington Town Council hereby authorizes John Salomone, Town Manager, or his designee pursuant to Section 504 of the Newington Town Charter, to enter into Agreement No. 8.12-02(11) between the State of Connecticut Department of Transportation and the Town of Newington for the Use of Space at 160 Pascone Place, Newington, Connecticut. All previous actions with respect to said Amendment taken by the Town Manager or his designee are hereby ratified.

Councilor Cohen inquired whether this is the equipment that was formerly housed in Town Hall. TM Salomone replied in the affirmative.

Motion seconded by Councilor Bottalico. Motion passed 9-0.

E. Job Description Update: Welder-Mechanic Helper (HLT-13)

TM Salomone noted that there is a vacancy in this position, which affords him the opportunity to update the job description to include current language and to meet all ADA requirements. He stated that this item will be up for Council consideration at the next meeting.

VII RESIGNATIONS/APPOINTMENTS

A. Conservation Commission

Councilor Banach moved the following:

RESOLVED:

That the Newington Town Council hereby accepts the resignation of Jeffrey Zelek as an Alternate member of the Conservation Commission, in accordance with correspondence dated August 30, 2011.

Motion seconded by Councilor Nasinnyk. Motion passed 9-0.

Councilor Nagel moved the following:

RESOLVED:

That the Newington Town Council hereby accepts the resignation of Mark Pappa as a member of the Conservation Commission, in accordance with correspondence dated August 17, 2011.

Motion seconded by Councilor Nasinnyk. Motion passed 9-0.

Councilor Banach moved the following:

RESOLVED:

That the Newington Town Council hereby appoints the following to the Conservation Commission:

Name	Address	Party	Term	Replaces
Jeffrey Zelek	55 Welles Drive N.	R	Immed – 11/30/11	Mark Pappa (Res. 8-17-11)

Motion seconded by Councilor Nasinnyk. Motion passed 9-0.

B. Open Space Committee

Councilor Nagel moved the following:

RESOLVED:

That the Newington Town Council hereby accepts the resignation of Mark Pappa from the Open Space Committee in accordance with a communication dated August 17, 2011.

Motion seconded by Councilor Nasinnyk. Motion passed 9-0.

VIII TAX REFUNDS

Councilor Banach moved the following:

RESOLVED:

That property tax refunds in the amount of \$12,868.23 are hereby approved in the individual amounts and for those named on the “Requests for Refund of an Overpayment of Taxes,” certified by the Revenue Collector, a list of which is attached to this resolution.

Councilor Nasinnyk inquired about the large amount of refunds being considered. Town Manager Salomone replied that this is due to both the cancellation of the last meeting and the number of adjustments typically made at this time of the year; both of which account for the higher than average total.

Motion seconded by Councilor Cohen
Motion passed 9-0

IX MINUTES OF PREVIOUS MEETINGS

A. July 26, 2011

Councilor Nasinnyk moved to accept the minutes of the July 26, 2011 meeting as written. Motion seconded by Councilor Bottalico.

Councilor Cohen noted a comment by the Town Manager on page 5, “He stated that the third item would fund a market analysis of Newington Junction and the fourth item would be for an analysis of the Cedar/Fenn area.” Town Manager Salomone stated that this comment was correct, as it was made prior to the amendment to the application to include only the National Welding site.

Motion passed 9-0.

B. August 9, 2011

Councilor Nasinnyk moved to accept the minutes of the August 9, 2011 meeting as written. Motion seconded by Councilor Nagel. Motion passed 8-0 (Councilor Banach Abstained)

C. August 29, 2011

Councilor Nagel moved to accept the minutes of the August 29, 2011 special meeting as written. Motion seconded by Councilor Nagel. Motion passed 9-0.

X TOWN MANAGER REPORTS

TM Salomone indicated that the entire state has been declared a disaster area due to Hurricane Irene and is therefore eligible for FEMA funding. He stated that the Town is currently in the process of determining its expenses to be submitted for reimbursement.

XI COUNCIL LIAISON/COMMITTEE REPORTS

Councilor Cohen stated that the Youth/Adult Council has been very active with fundraising and various programs addressing issues such as stress and bullying. She noted that the Transition Academy is complete and remarked that she is proud to have been a part of that wonderful project. She noted that the High School Code Compliance project has run into some problems in which some of the work done outside was not done properly and has to be redone. Mayor Lenares inquired as to who will pay for the extra work. Councilor Cohen stated that the repairs will be done at the contractor's expense; however it will delay the project. Councilor Nagel stated that the corrective work at the High School is been started, and indicated that the subcontractor involved will not be allowed to continue work until the problems are corrected.

Councilor Nasinnyk indicated that she and Councilor Nagel attended the Library Board of Directors and Friends of the Library Annual meeting and she remarked that it was a very nice function. She stated that the Friends of the Library celebration will take place in October. She stated that the next Standing Insurance Committee will take place in October.

Councilor Klett indicated that the Clem Lemire Synthetic Turf Field opening ceremony will be held on Sunday, September 18 at 1:00, weather permitting. She also thanked the Newington Volunteer Fire Department for the September 11, 2001 ceremonies in honor and memory of those affected by the tragedy. She thanked the Fire Department volunteers for their efforts in obtaining a beam from the World Trade Center to be used as a memorial. She thanked the Boy Scouts for their work in the candlelight ceremony as well.

Councilor Nagel stated that he attended a Fire Commission meeting in which the Commissioners discussed and planned the various 9/11 ceremonies and noted that there was unfortunately a miscommunication in which some Councilors were not notified of the ceremonies. The Commission also discussed the Fire Department's work in relation to Hurricane Irene and he stated that he passed along the Council's thanks for their efforts. Councilor Nagel stated that he served on the Transition Academy building committee and remarked that it was very gratifying to see the space completed and in use by the students.

Councilor McBride noted that the Market Square streetscape project has commenced and stated that trees removed from the area will be replaced and stated that construction will begin in force soon. He stated that the project is projected to be complete, on schedule, by the middle of November. He reminded residents that the businesses in the area are still open for business.

XII PUBLIC PARTICIPATION

Rose Lyons, 46 Elton Drive: Ms. Lyons thanked the Girl Scouts for their help with the 9/11 ceremonies. She noted that Council's waiving of the rules for several recent items. She also noted that a meeting was recently cancelled and a special meeting called to address an issue to due time constraints. She recommended that the Council consider changing the criteria for waiving the rules so that important items can be considered immediately. Ms. Lyons noted a \$450,000 allocation of taxpayer's money for a stoplight and roadway to go into the proposed busway area near National Welding. She noted surprise that a DOT Representative recently indicated that he had no knowledge of the Town's monetary contribution because the Town hasn't "acted quickly enough". She stated that she found a caveat that the Town would have to enter into an agreement with the DOT, and indicated that the money was therefore never given to the State. She inquired about the whereabouts of the \$450,000

Jaime Trevethan, 19 Foster Street: Mrs. Trevethan spoke about the Leukemia, Lymphoma and Myeloma awareness proclamation presented earlier in the meeting. She urged residents to consider joining the National

Bone Marrow Donor registry and indicated that there is a great need for donors. She stated that a bone marrow transplant is often the best course of treatment for patients battling blood cancers, and noted that half of the 10,000 patients needing an unrelated bone marrow donor each year will be unable to find a match. She stated that signing up for the registry is painless and will not commit you to donating in the future if you change your mind. Mrs. Trevethan indicated that more information could be found at www.marrow.org or by calling 1-800-627-7692.

XIII REMARKS BY COUNCILORS

Councilor Bottalico requested to have Town Assessor Steve Juda attend the next Council meeting to discuss the Elderly Tax Reward Program. He noted that Newington's average benefit to seniors is about \$350, well below the State average of \$620. He inquired about the cost of increasing the benefit and indicated that he would like to discuss a tax freeze for seniors who have owned their home in Newington for more than 20 years.

Councilor Klett wished her husband a happy 36th wedding anniversary, and thanked him for his support as she has served on the Council and Board of Education over the years.

Councilor Nasinnyk thanked the Fire Department, Boy Scouts and Girl Scouts for their efforts in organizing the solemn ceremonies in reflection of 9/11. She also reiterated Mrs. Trevethan's comments about joining the Bone Marrow registry.

Councilor Banach thanked the staff of the Newington Memorial Home for the moving and somber ceremony in memory of 9/11. Councilor DelBuono agreed and thanked all who organized the events. She stated that she appreciated the efforts. She noted that an Eagle Scout candidate in Town, Gavin Donahue, is organizing an effort to construct a handicap ramp and accessibility to the American Legion hall on Willard Avenue and she noted all of the people who have come together to support this project.

Councilor Nagel suggested that residents stop by Fire Company 1 to view and appreciate the 9/11 memorial in process at that location. He also thanked the Town Manager for allowing NCTV Channel 14 to display their banner in the hallway outside of their studio in Town Hall.

Councilor McBride noted that Martin Kellogg Middle School was noted in the August edition of the Hartford Business Journal as being among the largest clean-energy powered buildings and indicated that the building is expected to generate as much as 3.6 kilowatt hours of renewable energy over its lifespan. He stated that he is passionate about renewable clean energy and congratulated the Board of Education for the achievement.

Mayor Lenares invited the public to the grand opening of the Clem Lemire turf field, scheduled for Sunday at 1:00 p.m., and invited the public to attend the Waterfall Festival. He thanked Deputy Chief Frank Papa for his efforts in securing the beam from the World Trade Center to be used in the memorial.

XIV ADJOURNMENT

Councilor DelBuono moved to adjourn the meeting at 9:45 p.m. Motion seconded by Councilor Banach. Motion passed 9-0.

Respectfully Submitted,

Jaime Trevethan
Executive Assistant to the Town Manager